

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

James A. Gresham,

Plaintiff,

v.

Kerry T. Haggard, and  
Tiffany Haggard,

Defendants.

Case No. 09-13405

Honorable Nancy G. Edmunds

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**ORDER ACCEPTING AND ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION [56]**

This matter has come before the Court on the Magistrate Judge's August 7, 2012 Report and Recommendation. (Dkt. 56.) The Court is fully advised in the premises and has reviewed the record and the pleadings. Defendant Kerry T. Haggard has not filed any objections. Plaintiff's "failure to file objections to the report[] and recommendation[] waives any further right to appeal." *Hall v. Rawal*, 09-10933, 2012 WL 3639070, at \*1 (E.D.Mich. Aug. 24, 2012) (citation omitted). "Likewise, the failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Id.* (citation omitted.) The Court therefore ACCEPTS and ADOPTS the Magistrate Judge's Report and Recommendation.

The Court GRANTS Plaintiff's motion for summary judgment with respect to Counts I through VIII. The Court DENIES Plaintiff's motion for summary judgment with respect to Count X. The Court enters judgment against Defendant Kerry T. Haggard in the amount

of \$2,645,700.00 in actual and statutory damages. The Court further awards reasonable costs and attorneys' fees. The Court orders Plaintiff to submit a bill of costs within twenty-one days of this order.

SO ORDERED.

s/Nancy G. Edmunds

Nancy G. Edmunds

United States District Judge

Dated: September 21, 2012

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 21, 2012, by electronic and/or ordinary mail.

s/Carol A. Hemeyer

Case Manager